

**FORTY-FOURTH DAY**

(Monday, April 5, 1965)

The Senate met a 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 1, 1965, was dispensed with and the Journal was approved.

**Reports of Standing Committees**

Senator Parkhouse submitted the following reports:

Austin, Texas,  
April 5, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 481, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PARKHOUSE, Chairman.

Austin, Texas,  
April 5, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 482, have had the same under consideration, and I am instructed to report it back to the

Senate with the recommendation that it do pass, and be printed.

PARKHOUSE, Chairman.

Senator Moore submitted the following report:

Austin, Texas,  
April 5, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 490, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

MOORE, Chairman.

Senator Crump submitted the following report:

Austin, Texas,  
April 5, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to which was referred S. B. No. 486, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CRUMP, Chairman.

**Senate Resolution 398**

Senator Cole offered the following resolution:

Be it Resolved by the Senate of Texas, That the Enrolling Clerk of the Senate be directed to correct S. B. No. 34, Section 1, by changing the letters and figures "20f" in the first sentence thereof to read: "2."

The resolution was read and was adopted.

**Message From the House**

Hall of the House of Representatives,  
Austin, Texas,  
April 5, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 80, A bill to be entitled "An Act relating to the application

of pesticides and licensing commercial applicators; providing a penalty; and declaring an emergency."

H. B. No. 395, A bill to be entitled "An Act authorizing probation by county courts and by county courts at law or county criminal courts with original criminal jurisdiction, in certain misdemeanor cases; defining the effect of probation; permitting the courts to determine the period and terms of probation; providing for revocation of probation or discharge therefrom; preserving certain appellate rights; and declaring an emergency."

H. C. R. No. 76, In memory of the Honorable Roscoe Conklin Runge.

H. C. R. No. 77, In memory of Norman E. Coward.

H. B. No. 114, A bill to be entitled "An Act to amend Title 50 of the Revised Civil Statutes of Texas, 1925, known as the Texas Election Code; providing for the appointment of election officers for certain elections ordered by county officers; providing that business necessity or personal convenience shall be acceptable reasons for voting absentee; specifying officer to conduct absentee voting in various elections; specifying the form of application for voting absentee; providing requirements for absentee voting by mail on an official Federal Post Card Application for Absentee Ballot; specifying the manner of voting absentee in counties using paper ballots; providing for voting, in counties using voting machines, of invalid or seriously ill qualified voters, whose disability occurred within six days before an election under specified procedures; voting absentee in person on the last Saturday and Sunday of the absentee voting period before an election in counties of 200,000, or over, population; defining period for absentee voting in second primary; clarifying the method of handling the certification of party officials and party nominees to the county clerks; providing the method for qualified voters moving to a new county prior to six months before an election, or to a new precinct within a county prior to four days before an election, to qualify for voting in a different precinct than that shown on his poll tax, or exemption certificate; requiring an-

nual exemption certificates for all persons over 60 years of age to become qualified voters; providing that no political party can use the polling place which an opposing political party has used in either or both of the two previous even numbered years; providing that each political party display signs immediately over entrances to the polls and over voting machines or voting booths; reserving each political party's polling place for the exclusive use of that party; giving commissioners' court authority to determine the pay of precinct election judges and clerks in counties of 200,000 and over population; specifying the form of paper ballots; containing a repealing clause; containing a saving clause; and declaring an emergency."

S. C. R. No. 22, Granting H. L. Brown et al. permission to sue the State.

S. B. No. 399, A bill to be entitled "An Act authorizing certain school districts to issue time warrants; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Message From the Governor

The following message received from the Governor was read and was filed with the Secretary of the Senate:

Austin, Texas,  
April 5, 1965.

To the Members of the Fifty-Ninth Legislature, Regular Session:

As you know, the Department of Defense is deactivating many military installations throughout the nation. Several of these are located in Texas. In cooperation with various State agencies and the Legislature, we have been attempting to utilize these facilities wherever their use is feasible and in conformity with economic development of State plans and programs.

One such facility to be deactivated in 1966 is the James Connally Air Force Base in Waco, Texas. Preliminary investigation has been conducted to determine whether this installation has any utility for State purposes. I have personally inspected the Base with this prospect in mind. In my opinion the Connally Air Force

Base site offers the best possible location for a top quality, State operated, modern, model vocational-technical institute with educational programs tailored to meet the present and future needs of Texas industry. This would be an institution offering advanced and technical courses not presently available in all areas of the State. It is centrally located not too distant from the metropolitan complexes of Dallas-Fort Worth, Houston and San Antonio. In these areas are found the aircraft, electronic, and space-related industries which demand sophisticated training in complex subjects. Here, too, are located the laboratories of the petro-chemical industry, as well as major airline depots, the textile and clothing industry and many other businesses and concerns requiring highly trained employees. The advantages to Waco and its industrialization program are obvious. Our efforts to provide a Statewide facility making available to all Texas young people the opportunity to equip themselves for tomorrow's industrial employment, and indeed to enable us to attract and expand those industries, have not thus far been successful.

James Connally Air Force Base is valued at \$41 million, contains 75,000 square feet of shop space, adequate academic classrooms and training space, living and dining quarters, family housing, and administrative buildings to accommodate at least 2,500 on-campus students as well as hangar space, airport facilities and necessary auxiliary buildings. The Base is modern, in excellent repair and, for the most part, of permanent construction. Attached to this message is a summary of the facilities available there. It will be deactivated in June, 1966.

Discussions have been held with the General Services Administration and the Department of Defense and Health, Education and Welfare in Washington concerning release and transfer of the Base to the State of Texas for an educational use. Cooperation of the leadership of the people of Waco has been solicited, and they have been represented in meetings both in Austin and Washington. Additional conferences will be required and the necessary procedures completed before actual transfer can be effected. Access to the facilities has been assured to allow development of the necessary plans to implement

the vocational-technical program I here proposed.

It is important that such a program be properly coordinated with our entire educational system.

Texas A&M University has had extensive experience in vocational and technical education. Historically designed and traditionally directed toward providing trained manpower in science and engineering it is uniquely suited to provide the trained technicians to support its graduates in industry. Possessing extensive facilities for modern engineering education including the first atomic reactor in the Southwest, soon to construct the first cyclotron in this area at a cost of \$6 million, engaged in oceanographic studies, conducting intricate engineering research through its Engineering Experiment Station and Texas Transportation Institute, the University is acutely aware of the need for highly skilled technicians. It has experience through the Engineering Extension Service in teaching today's knowledge to tomorrow's manpower.

Since it is essential that we proceed immediately so that the first class of students can be admitted not later than September 1, 1966, I hereby submit as emergency matters the following:

1. Statutory authorization for the Board of Directors of Texas A&M University to accept James Connally Air Force Base on behalf of the State of Texas and to operate thereon the James Connally Technical Institute.

2. Appropriation of \$200,000 to Texas A&M University for the fiscal year ending August 31, 1966, to initiate the necessary planning and prepare the requisite facilities for admitting the first class in September, 1966.

3. Appropriation of \$900,000 for the fiscal year ending August 31, 1967, equally divided between Texas A&M University and the Central Education Agency, to meet instructional costs, the purchase of necessary equipment and all other expenses incident to admitting 500 students in September, 1966.

4. All authorized appropriations to be subject to prior approval of the proposed budget by the Governor after securing the advice of the Legislative Budget Board.

Respectfully submitted,  
JOHN CONNALLY,  
Governor.

**JAMES CONNALLY AIR FORCE BASE**

James Connally Air Force Base was originally activated in the early spring of 1942 as a pilot training base, was reactivated in 1948 and has been in continuous operation. It is named for James Thomas Connally, a graduate of Waco High School and Texas A&M University who was killed in a bombing raid over Japan in 1945.

**GENERAL INFORMATION**

The Base is located about eight miles northeast of the City of Waco and consists of 2,091.42 owned acres and 136.75 acres of easements, providing a total of 2,228.17 acres. There are 107 permanent type buildings located on the Base and 866 housing units.

In addition, there are also 219 "semi-permanent" buildings. All housing units are complete with central heat and air-conditioning. The Base has approximately 25 miles of roads and more than a million square yards of airfield pavement. There is one main runway and one secondary runway complete with navigation aids and hangar space. In addition, a railway spur from the Missouri, Kansas and Texas Railway enters the Base.

Hanger space totals approximately 214,000 square feet. The water system is capable of pumping and treating 1,920,000 gallons per 24 hour day; sewage facilities can treat one million gallons per day. Sixteen buildings contain 180,000 square feet of storage space including 34,000 square feet of refrigerated storage.

**SHOPS**

Type of Shop	Number	Square Feet
Aircraft Maintenance Shops	4	23,968
Auto Maintenance Shops	4	17,054
Armament and Electronic Shop	1	6,048
Communications and Electric Shop	1	2,745
Parachute and Dinghy Shop	1	7,037
Paving and Grounds Facility	1	3,072
Civil Engineer Maintenance Shops	5	14,588
Precision Measuring Equipment Lab	1	1,470

**OTHER ON BASE BUILDINGS OR FACILITIES**

Type	Buildings	Type	Buildings
Academic Classrooms	7	Dining Halls	2
High Altitude Training	2	(1800 man capacity)	
Synthetic Training	1	Open Mess Facilities	4
Training Aids Facility	1	Service Club	1
Administrative Buildings	53	Exchange Facility	8
Control Tower	1	Photo Laboratory	1
Mission Staging Operations Buildings	4	Commissary Sales Store	1

**HOUSING FACILITIES**

Bachelor Officer Quarters	8	398 men
Airmen Dormitories		
a. New-permanent	3	596 men
b. Old	43	1,565 men
Total	46	2,161 men

New airmen dormitories are air-conditioned. Of the 43 old dormitories, 24 have been rehabilitated with 22 of these being air-conditioned.

Two Bedroom housing	206
Three Bedroom housing	511
Four bedroom housing	150
Total	867

**COMMUNITY TYPE FACILITIES**

Chapel—Permanent construction, air-conditioned, 231 seats  
Theater—Permanent construction, air-conditioned, 350 seats.

Cafeteria—Semi-permanent construction air-conditioned, completely remodeled, 5,180 square feet.  
Bank—Semi-permanent construction,

1,250 square feet, Branch of First National Bank of Waco  
 Post Office—Semi-permanent construction, 2,298 square feet  
 Library—Semi-permanent construction, air-conditioned, 3,250 square feet  
 Service Station—8 pumps, 2 wash and grease stalls, parking and office space, 1,296 square feet  
 Snack Bar Malt Stand—Semi-permanent construction, 850 square feet  
 Snack Bar (Operations)—Permanent construction, air-conditioned, 1,596 square feet  
 Fire Station—Two buildings, 7 stalls  
 Commissary—Semi-permanent construction, 8,698 square feet

**POSSIBLE PROGRAMS FOR JAMES CONNALLY TECHNICAL INSTITUTE**

(Requiring general 2 or 2½ years for completion)

1. Programs for general industry and business.
  - a. Installation and maintenance of automated systems
  - b. Business data processing
  - c. Industrial electronics technicians
  - d. Quality control technicians
  - e. Instrumentation technicians
  - f. Non destructive testing technicians
  - g. Materials inspectors
  - h. Diesel technicians
  - i. Specialty draftsmen
2. Programs to supply technical assistants for general engineering and the construction industry.
  - a. Surveying
  - b. Field and laboratory materials inspection
  - c. Field Inspectors
  - d. Draftsmen
  - e. Estimators
3. Programs for the health industries including medical laboratories.
  - a. Laboratory medical technicians
  - b. X-Ray technicians
  - c. Health physics technicians
  - d. Hospital maintenance personnel
  - e. Medical electronic technicians
4. Programs to supply technical assistants for industrial and university research laboratories, both public and private.
  - a. Glass blowing
  - b. Precision machinists
  - c. Electronics instrumentation technicians
  - d. Chemical analysts
  - e. Radiation technicians
  - f. Data processing technicians
5. Programs for the airlines  
 There is considerable weight of opinion to the effect that the airlines can no longer depend on the U. S. Air Force for aircraft operation and maintenance personnel. This creates a need for training these people and James Connally has excellent facilities including a most modern instrument landing system.
  - a. Pilot training
  - b. Aircraft maintenance personnel
  - c. Flight engineers
  - d. Aircraft communications maintenance
  - e. Stewardess school
6. Adult education programs

**Message from the Attorney General**

Austin, Texas,  
 April 2, 1965.

The following message received from the Attorney General was read and was referred to the Committee on Nominations:

To the Senate of the Forty-ninth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be member of the School Land Board, to fill the unexpired term of Wilson Fox, resigned, term to expire September 2, 1965: William S. Lott of Georgetown, Williamson County.

Respectfully submitted,

**WAGGONER CARR,**  
 Attorney General of Texas.

**Senate Bill 487 on First Reading**

Senator Watson moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Hightower
Bates	Kazen
Blanchard	Kennard
Calhoun	Krueger
Cole	Moore
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Herring	Snelson

Spears  
Strong

Watson  
Word

Absent

Hazlewood

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senators Watson and Moore:

S. B. No. 487, A bill to be entitled "An Act authorizing the Board of Directors of Texas A&M University to accept James Connally Air Force Base on behalf of the State of Texas and to establish thereon the James Connally Technical Institute of Texas A&M University offering vocational and vocational-technical education programs; providing for severability; and declaring an emergency."

To the Committee on Education.

#### Senate Bill 488 on First Reading

Senator Moore moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Moore:

S. B. No. 488, A bill to be entitled "An Act transferring \$3,000 from the Executive Office Suspense Fund to Texas A&M University and declaring an emergency."

To the Committee on Finance.

#### Senate Bill 489 on First Reading

The following local bill was intro-

duced, read first time and referred to the Committee indicated:

By Senator Rogers:

S. B. No. 489, A bill to be entitled "An Act creating Mackenzie Municipal Water Authority, a conservation and reclamation district under Article XVI, Section 59 of the Constitution, comprising the territory contained in the City of Tulia in Swisher County, the City of Silverton in Briscoe County, and the cities of Lockney and Floydada in Floyd County, as of the first day of February, 1965, for the purpose of providing a source of water supply for municipal, domestic, and industrial and mining use and diverting, impounding, storing, treating and transporting the same; and for the purpose of constructing and operating facilities for the purpose of gathering, transporting, treating and disposing of sewage; providing for a board of directors for the government of said authority; providing the means of annexing additional territory to the authority; authorizing the authority to obtain permits from the Texas Water Commission; authorizing the acquisition or construction of a dam or dams and all works, plants, and facilities necessary or useful for the accomplishments of the purposes of the authority; authorizing the authority to acquire land for its purposes by condemnation; authorizing the authority to issue bonds and providing for the payment and security thereof; providing that said bonds shall be payable either from ad valorem taxes, revenues or a combination of taxes and revenues; authorizing the issuance of refunding bonds; authorizing the execution of a trust indenture to secure bonds payable from revenues or partly from revenues; providing for elections approving the issuance of bonds payable from taxes or partly from taxes; authorizing the authority to enter into contracts with cities and others for supplying water to them and for collecting, treating and disposing of sewage; providing for the approval of bonds issued by the authority and contracts entered into by the authority by the attorney general and registration of bonds by the comptroller of public accounts of the State of Texas; authorizing the authority to contract with the Texas Water Development Board relative to storage facilities as provided in Chapter 49, Acts of the Fifty-Eighth Legislature; authorizing the author-

ity to establish or otherwise provide for public parks and recreation facilities, and to acquire land therefor; authorizing the authority to employ its own peace officers and defining their authority; prescribing other powers and duties of the authority; authorizing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

#### Senate Concurrent Resolution 66

Senator Moore offered the following resolution:

S. C. R. No. 66, Granting M&M Racing Association, Inc., and Speedarena, Inc., permission to sue the State.

Whereas, M & M Racing Association, Inc., a corporation chartered and existing under the laws of the State of Texas, with principal offices at 1714 Ferris, Lawton, Oklahoma, alleges that it operates and for many years has operated an automobile racing track under the name of Wichita Speedway in the City of Wichita Falls, Texas, for the conducting of automobile racing exhibitions, and that it charges and has charged for admission to such exhibitions; and

Whereas, Said M & M Racing Association, Inc., alleges that, in connection with the conducting of such exhibitions and the charging for admission thereto, it has paid to the State of Texas, through the Comptroller of Public Accounts, a total of Eighteen Thousand Seven Hundred Thirty-Six Dollars and Thirteen Cents (\$18,736.13) as admission taxes under Chapter 21 of Title 122A RCS; and

Whereas, Speedarena, Inc., a corporation chartered and existing under the laws of the State of Texas, with principal office at 4310 Woodland, Brownwood, Texas, alleges that it operates and for many years has operated an automobile racing track in the City of Abilene, Texas, for the conducting of automobile racing exhibitions, and that it charges and has charged for admission to such exhibitions; and

Whereas, Said Speedarena, Inc., alleges that, in connection with the conducting of such exhibitions and the charging for admission thereto, it has paid to the State of Texas,

through the Comptroller of Public Accounts, a total of Seven Thousand Three Hundred Twenty-Six Dollars and Thirty-Nine Cents (\$7,326.39) as admission taxes under Chapter 21 of Title 122A RCS; and

Whereas, Said M & M Racing Association, Inc., and Speedarena, Inc. allege that said taxes were not properly due and payable to the State of Texas; that the Comptroller of Public Accounts was not authorized to levy and collect said taxes; that said taxes were paid under duress; and that said taxes should be refunded; and

Whereas, The Comptroller of Public Accounts denies these contentions and avers that said corporations are not entitled to have said taxes refunded to them; and

Whereas, Such controversies should be determined and decided by the Courts of this State; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that said M & M Racing Association, Inc., and Speedarena, Inc., be, and they are hereby, given permission to sue the State of Texas, jointly or by separate suits, in any Court of competent jurisdiction in said State to determine whether or not the State is liable to refund to them the taxes hereinabove referred to; and be it further

Resolved, That service of citation and of any other legal process in any such suit shall be had upon the Comptroller of Public Accounts and upon the Attorney General of the State of Texas, with service of process upon both of these two officials to have the same force and effect as the service of process upon a defendant in any other civil case, according to the Rules of Civil Procedure as promulgated and adopted by the Supreme Court of Texas; and be it further

Resolved, That any such party in any such suit shall have the right of appeal as provided for in other civil cases; and be it further

Resolved, That nothing herein shall be construed as an admission on the part of the State of Texas, or any of the Departments or Agencies of the State of Texas, or any of the political subdivisions of the State of Texas, as to the validity of any allegations or claims asserted in any such suit; but that all allegations and claims asserted in said suit must be proved as in other suits under the

same rules of evidence and the same laws as apply in and govern the trial of other civil cases; and be it further

Resolved, That nothing herein shall be construed as a waiver of any defenses, of fact as well as of law, that may be asserted by or available to the State of Texas, or any of the Departments or Agencies of the State of Texas, or any of the political subdivisions of the State of Texas, in said suit, but all such defenses are hereby specifically reserved.

The resolution was read and was referred to the Committee on Jurisprudence.

#### Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill and resolutions:

S. B. No. 108, A bill to be entitled "An Act amending Acts 1953, 53rd Legislature of the State of Texas, Chapter 268 (Vernon's Article 8220-155) which created Wise County water supply district by enlarging and redefining the boundaries of Wise County water supply district, etc., and declaring an emergency."

S. J. R. No. 7, Proposing an amendment to the Constitution of the State of Texas providing for the exemption from local ad valorem taxes of the property of certain charitable organizations, providing such organizations meet certain conditions and requirements and expend at least one and one-half million dollars (\$1,500,000) annually on free medical and hospital care for the indigent within the State of Texas; providing for the necessary election, form of ballot, proclamation and publications.

S. B. No. 374, A bill to be entitled "An Act changing the name of Sam Houston State Teachers College to Sam Houston State College; fixing an effective date; and declaring an emergency."

S. C. R. No. 65, Authorizing the Enrolling Clerk of the Senate to correct a typographical error in S. J. R. No. 7.

#### Senate Joint Resolution 1 on Second Reading

The President laid before the Senate as unfinished business S. J. R.

No. 1 with an amendment by Senator Parkhouse pending (the resolution having been read on Tuesday, March 30, 1965).

Question—Shall the amendment by Senator Parkhouse to S. J. R. No. 1 be adopted?

On motion of Senator Kennard and by unanimous consent further consideration of S. J. R. No. 1 was postponed until Tuesday, April 6, 1965, following the Morning Call.

Question—Shall the amendment by Senator Parkhouse to S. J. R. No. 1 be adopted?

#### Leave of Absence

Senator Patman was granted leave of absence for today on account of important business on motion of Senator Rogers.

#### Senate Bill 331 on Second Reading

Senator Moore moved to suspend the regular order of business to take up Senate Bill No. 331 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Strong
Herring	Watson
Hightower	Word

#### Nays—2

Colson	Spears
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#### Absent—Excused

Patman

The President then laid before the Senate on its second reading and passage to engrossment:

S. B. No. 331, A bill to be entitled "An Act relating to the regulation of barbers, barber shops, and barber schools and colleges; repealing Articles 728, 729, 730, 731, 732, 733,



734, Penal Code of Texas, 1925; repealing Chapter 65, General Laws, Acts of the 41st Legislature, First Called Session, 1929, as amended; and declaring an emergency."

The bill was read the second time.

Senator Moore offered the following Committee Amendment to the bill:

Amend S. B. No. 331 by striking the words "registered nurses" in Section 3(a)(3) and substituting the following:

"a person under the direction of a licensed physician or surgeon, or a person employed by a clinic or hospital."

The Committee Amendment was read and was adopted.

Senator Moore offered the following Committee Amendment to the bill:

Amend S. B. No. 331 by striking the period at the end of Section 5(a) and adding the following:

"with the advice and consent of the Senate."

The Committee Amendment was read and was adopted.

Senator Parkhouse offered the following Committee Amendment to the bill:

Amend S. B. No. 331 by striking Section 10 and substituting the following:

Sec. 10. Regulations. (a) The board shall adopt procedural regulations for the transaction of business provided for in this Act, including a seal for authenticating orders, certificates and records of the board.

(b) Before the board may adopt a resolution or an amendment to a regulation under this Act it must

(1) submit the regulation to the attorney general for review;

(2) receive certification from the attorney general that the regulation or amendment, if adopted, would not violate the state or federal constitution nor be in excess of the board's statutory authority;

(3) mail a copy of the regulation or amendment to each person subject to the regulation or amendment at the address the person supplies the board in his application;

(4) file a copy of the regulation or amendment with the secretary of state.

(c) The board must receive certification from the attorney general that the regulation or amendment, if adopted, would not violate the state or federal constitution nor be in excess of the board's statutory authority before the regulation or amendment may be filed with the secretary of state, and the amendment or regulation must be filed with the secretary of state before it is mailed to persons subject to the regulation or amendment. A regulation or amendment is adopted when filed with the secretary of state.

(d) An order which affects only the person named in the order shall be served on the person by personal delivery or registered mail, return receipt requested. If the affected person is a corporation, the order must be delivered or mailed to an officer or agent of the corporation who may be served with a summons.

The Committee Amendment was read and was adopted.

Senator Moore offered the following Committee Amendment to the bill:

Amend S. B. No. 331, Section 16, by striking the period at the end of Subdivision (5) and substituting a semi-colon, and by adding the following subdivision:

"(6) is less than 18 years of age, has a diploma from an accredited high school, and meets the requirements of Subdivision (3), (4), and (5) of this subsection."

The Committee Amendment was read and was adopted.

Senator Moore offered the following Committee Amendment to the bill:

Amend S. B. No. 331 as follows:

(1) Change the word "shall" in Section 19(a) to "may."

(2) Delete Section 19(b).

The Committee Amendment was read and was adopted.

Senator Moore offered the following Committee Amendment to the bill:

Amend S. B. No. 331 by striking Section 21 and substituting the following:

"Sec. 21. Examinations. (a) The board shall offer examinations to ap-

plicants for certificates of registration and to applicants to enter barbering school. The board may determine the time and place for these examinations. The examination of applicants for certificates of registration shall include both a practical demonstration and a written and oral test of subjects usually taught in schools of barbering approved by the board.

"(b) The board shall, without an examination, issue a student license to a person who has a diploma or facsimile of a diploma from an accredited high school."

The Committee Amendment was read and was adopted.

Senator Moore offered the following Committee Amendment to the bill:

Amend S. B. No. 331 as follows:

(1) Change the phrase "300 hours" in Section 22(a) to "100 hours."

(2) Change the phrase "three months" in Section 22(a) to "one month."

(3) Delete Section 22(b).

The Committee Amendment was read and was adopted.

Senator Moore offered the following Committee Amendment to the bill:

Amend Sec. 30, by adding a new paragraph as follows:

"The Board shall cause said barber shop to be inspected within 30 days after receiving written notice for the license."

The Committee Amendment was read.

Senator Parkhouse offered the following substitute for the pending Committee Amendment:

Amend Senate Bill 331, Subchapter D, Section 30, page 6 by striking out all of sub-sections (a), (b), and (c) and inserting in lieu thereof the following:

"(a) No person may own or operate a barber shop without a barber shop permit issued by the board. The manager of any barber shop must be a registered barber under the terms of this Act."

"(b) In opening a new barber shop the owner, operator or manager of a barber shop shall within 3 days after

the opening of said shop inform the Board of Barber Examiners in writing the location of the shop, the owner, operator or manager of the shop and enclose a permit fee of \$5 by certified mail and shall have the right to open upon disclosure that application has been made by such mail until such time as the board shall inspect said barber shop."

(c) The board may issue a barber shop permit to an applicant who has paid an inspection fee of \$5 and whose shop has been inspected and approved by the board."

The substitute for the pending Committee Amendment was read and failed of adoption.

The Committee amendment was then adopted.

#### Record of Vote

Senator Parkhouse asked to be recorded as voting "Nay" on adoption of the above amendment.

Senator Moore offered the following Committee Amendment to the bill:

Amend Sec. 46 at line 32 by striking the words "any money" and substituting therefor the words "more than twelve cents."

The Committee Amendment was read.

Senator Spears offered the following substitute for the pending Committee Amendment:

Amend S. B. 331, Sec. 46, at line 32 by striking the words "any money" and substituting in lieu thereof the words "more than fifty (50) cents."

The substitute for the pending Committee Amendment was read and failed of adoption.

Question—Shall Committee Amendment No. 9 to S. B. 331 be adopted?

#### Recess

Senator Hardeman moved that the Senate stand recessed until 2:00 o'clock p.m. today.

Senator Spears moved that the Senate stand adjourned until 10:00 o'clock a.m. tomorrow.

Question first on the motion by Sen-

ator Spears to adjourn until 10:00 o'clock a.m. tomorrow, the motion was lost.

Question recurring on the motion by Senator Hardeman to take recess until 2:00 o'clock p.m. today, the motion prevailed.

Accordingly the Senate at 12:01 o'clock p.m. took recess until 2:00 o'clock p.m. today.

#### After Recess

The President called the Senate to order at 2:00 o'clock p.m. today.

#### Leave of Absence

Senator Colson was granted leave of absence for today on account of important business on motion of Senator Aikin.

#### Senate Bill 331 on Second Reading

The Senate resumed the consideration of the pending business, same being S. B. No. 331 on second reading with a Committee Amendment pending.

Question—Shall the Committee Amendment No. 9 to S. B. No. 331 be adopted?

Senator Spears offered the following substitute for the pending Committee Amendment:

Amend S. B. No. 331, Section 46, by striking the words "any money or anything of value" appearing on lines 32 and 33, p. 10, of the printed bill and substituting in lieu thereof the following: "Forty-five cents (.45)."

The substitute for the Committee Amendment was read.

Senator Moore raised the Point of Order that the substitute by Senator Spears was the same as an amendment previously offered and failed of adoption.

The President over-ruled the Point of Order.

Question on adoption of the substitute by Senator Spears for the Committee Amendment, Yeas and Nays were demanded.

The substitute for the pending amendment failed of adoption by the following vote:

#### Yeas—12

Blanchard	Parkhouse
Calhoun	Patman
Hardeman	Richter
Hazlewood	Schwartz
Kazen	Snelson
Kennard	Spears

#### Nays—17

Aikin	Krueger
Bates	Moore
Cole	Ratliff
Creighton	Reagan
Crump	Rogers
Dies	Strong
Hall	Watson
Harrington	Word
Hightower	

#### Absent

Herring

#### Absent—Excused

Colson

The Committee Amendment was adopted.

#### Record of Votes

Senators Spears and Parkhouse asked to be recorded as voting "Nay" on the adoption of the Committee Amendment.

Senator Moore offered the following Committee Amendment to the bill:

Amend S. B. No. 331 by adding the following sentence at the end of Sec. 4:

"Each member shall have a high school diploma from an accredited high school of the State of Texas."

The Committee Amendment was read and was adopted.

Senator Moore offered the following Committee Amendment to the bill:

Amend S. B. No. 331 by striking Section 38(1) from the bill.

The Committee Amendment was read and was adopted.

Senator Moore offered the following Committee Amendment to the bill:

Amend S. B. No. 331 by striking the last sentence of Sec. 20 from the bill.

The Committee Amendment was read and was adopted.

Senator Moore offered the following Committee Amendment to the bill:

Amend S. B. No. 331 by deleting the following language from Sec. 31: "who practices barbering as a full time occupation in the barber shop." and adding a period after the word "barber."

The Committee Amendment was read and was adopted.

Senator Kazen offered the following amendment to the bill:

Amend S. B. No. 331 by deleting all of sub-section (a), Sec. 16, and substituting in lieu thereof the following:

"(a) A person is entitled to receive a certificate of registration to practice as a registered assistant barber who

(1) is at least 18 years of age or who is a high school graduate, or has the equivalent education as determined by the board;

(2) is of good moral character and temperate habits;

(3) has been graduated from a school of barbering approved by the board; and

(4) has passed a satisfactory examination conducted by the board to determine his fitness to practice as a registered assistant barber."

The amendment was read and was adopted.

Senator Kazen offered the following amendment to the bill:

Amend S. B. No. 331 by deleting all of Sec. 24 and inserting in lieu thereof the following:

"(a) A person who has a license or certificate of registration as a practicing barber from another state or country which has substantially the same requirements for licensing or registering barbers as required in this Act is entitled to a certificate of registration permitting him to practice as a barber in this state if he

(1) is at least 18 years of age or have a diploma showing graduation from high school;

(2) can furnish evidence of good morals and temperate habits;

(3) has paid the required fee; and

(4) has passed a satisfactory examination conducted by the board.

(b) A person who has a certificate of registration as an assistant barber in another state or country which has substantially the same requirements for registration as an assistant barber as required in this Act is entitled to a certificate of registration as a registered assistant barber if he

(1) is at least 18 years of age or has a diploma showing graduation from high school;

(2) is of good moral character and temperate habits;

(3) has passed a satisfactory examination conducted by the board; and

(4) has paid the required fee.

If the person is entitled to receive a certificate, the time he has spent as an assistant barber in the other state shall be credited upon the time required by this Act as a qualification to take the examination to determine his fitness as a registered barber.

(c) If a person who has practiced as an assistant barber in another state or country which does not have substantially the same requirements for registration as an assistant barber as required by this Act meets all requirements of Section 16(a) of this Act, the time he has spent as an assistant barber in the other state or country will count toward the period of service a person is required to serve as an assistant barber by Section 16(b) (3) of this Act to be entitled to take the examination to determine his fitness to receive a certificate of registration as a registered barber.

The amendment was read and was adopted.

Senator Aikin offered the following amendment to the bill:

Amend S. B. 331 by striking out the words "within 60 days after the effective date of this act" page 11, lines 39 and 40, section 55, and inserting in lieu thereof the following: "before the expiration date of his present certificate."

The amendment was read and was adopted.

Senator Spears offered the following amendment to the bill:

Amend S. B. No. 331 by striking

the period at the end of Sec. 46, adding a comma and adding thereafter the following: "unless 50% of the payment therefor is given to the student."

The amendment was read and failed of adoption.

Senator Hardeman offered the following amendment to the bill:

Amend S. B. No. 331, Sec. 10, by adding at the end of subsection (b) the following:

"Provided however that such regulations or orders of general application shall be approved by the Attorney General and be filed in the office of the Secretary of State before they shall become effective."

The amendment was read and was adopted.

On motion of Senator Moore and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was then passed to engrossment.

#### Record of Votes

Senators Parkhouse and Spears asked to be recorded as voting "Nay" on the passage of S. B. No. 331 to engrossment.

#### Senate Bill 331 on Third Reading

Senator Moore moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 331 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Strong
Herring	Watson
Hightower	Word

#### Nays—2

Parkhouse                Spears

Absent—Excused

Colson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time.

Senator Kazen offered the following amendment to the bill:

Amend S. B. No. 331, Sub-section (b) of Section 16 by striking out all of line 55 and substituting in lieu thereof the following:

"(2) is at least 18 years of age;"

The amendment was read and was adopted.

On motion of Senator Hardeman and by unanimous consent the vote by which the above amendment was adopted was reconsidered.

Question—Shall the amendment by Senator Kazen to S. B. No. 331 be adopted?

The amendment was then adopted by the following vote:

#### Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent—Excused

Colson

On motion of Senator Moore and by unanimous consent the caption of S. B. No. 331 was amended to conform to the body of the bill as amended.

The bill as amended was then finally passed.

**Record of Votes**

Senators Parkhouse, Crump, Spears, Cole and Hardeman asked to be recorded as voting "Nay" on the final passage of S. B. No. 331.

**Conference Committee Report on  
House Joint Resolution 11**

Senator Hazlewood submitted the following Conference Committee Report on H. J. R. No. 11:

Austin, Texas,  
April 1, 1965.

Hon. Preston Smith, President of the Senate.

Hon. Ben Barnes, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the House and Senate on House Joint Resolution No. 11, have met and adjusted our differences and beg leave to recommend that House Joint Resolution No. 11 be passed in the form attached hereto.

Respectfully submitted,

HAZLEWOOD  
AIKIN  
HARDEMAN  
CRUMP  
HERRING

On the part of the Senate

HINSON  
ALLEN  
SIMPSON  
GROVER  
WIETING

On the part of the House

H. J. R. No. 11, Proposing an amendment to Article III of the Constitution of the State of Texas authorizing loans to students at institutions of higher education; creating the Texas Opportunity Plan Fund and making provisions relating thereto.

**BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:**

Section 1. That Article III of the Constitution of the State of Texas be amended by adding a new section to read as follows:

"Sec. 50b. Student Loans. (a) The Legislature may provide that the Coordinating Board, Texas College and University System, or its successor or successors, shall have the authority to provide for, issue and sell general obligation bonds of the State of Texas in an amount not to exceed Eighty-five

Million Dollars (\$85,000,000). The bonds authorized herein shall be called "Texas College Student Loan Bonds," shall be executed in such form, denominations and upon such terms as may be prescribed by law, provided, however, that the bonds shall not bear more than four per cent (4%) interest per annum; they may be issued in such installments as the Board finds feasible and practical in accomplishing the purpose of this section.

"(b) All moneys received from the sale of such bonds shall be deposited in a fund hereby created in the State Treasury to be known as the Texas Opportunity Plan Fund to be administered by the Coordinating Board, Texas College and University System, or its successor or successors to make loans to students who have been admitted to attend any institution of higher education within the State of Texas, public or private, including Junior Colleges, which are recognized or accredited under terms and conditions prescribed by the Legislature, and to pay interest and principal on such bonds and provide a sinking fund therefor under such conditions as the Legislature may prescribe.

"(c) While any of the bonds or interest on said bonds authorized by this section is outstanding and unpaid, there is hereby appropriated out of the first moneys coming into the Treasury in each fiscal year, not otherwise appropriated by this Constitution, an amount sufficient to pay the principal and interest on such bonds that mature or become due during such fiscal year, less the amount in the sinking fund at the close of the prior fiscal year.

"(d) The Legislature may provide for the investment of moneys available in the Texas Opportunity Plan Fund, and the interest and sinking funds established for the payment of bonds issued by the Coordinating Board, Texas College and University System, or its successor or successors. Income from such investment shall be used for the purposes prescribed by the Legislature.

"(e) All bonds issued hereunder shall after approval by the Attorney General, registration by the Comptroller of Public Accounts of the State of Texas, and delivery to the purchasers, be incontestable and shall constitute general obligations of the State of Texas under this Constitution.

"(f) Should the Legislature enact

enabling laws in anticipation of the adoption of this amendment, such acts shall not be void because of their anticipatory nature."

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in November, 1965, at which election all ballots shall have printed on them the following:

"FOR the constitutional amendment authorizing the Legislature to provide for loans to students at institutions of higher education to be known as the Texas Opportunity Plan."

"A G A I N S T the constitutional amendment authorizing the Legislature to provide for loans to students at institutions of higher education to be known as the Texas Opportunity Plan."

Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for the election and this amendment shall be published in the manner and for the length of time as required by the Constitution and laws of this State.

The Conference Committee Report was read and was adopted by the following vote:

#### Yeas—29

Aikin	Kennard
Bates	Krueger
Blanchard	Parkhouse
Calhoun	Patman
Cole	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

#### Absent

Moore

#### Absent—Excused

Colson

#### Leave of Absence

Senator Hightower was granted leave of absence for the remainder of the day on account of important business on motion of Senator Aikin.

#### Senate Bill 407 With House Amendments

Senator Kennard moved that the Senate concur in the House amendments to S. B. No. 407 (the motion having been made on Wednesday, March 31, 1965, and the House amendments printed in the Senate Journal of that date).

Senator Moore as a substitute motion moved that the Senate do not concur in the House amendments but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

Question first on the substitute motion by Senator Moore, the motion was lost.

Question next on the motion by Senator Kennard to concur in the House amendments, the motion prevailed by the following vote:

#### Yeas—23

Aikin	Krueger
Bates	Parkhouse
Calhoun	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Snelson
Herring	Spears
Kazen	Strong
Kennard	

#### Nays—4

Hardeman	Watson
Moore	Word

#### Absent

Blanchard	Cole
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#### Absent—Excused

Colson	Hightower
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#### Bill and Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill and resolution:

S. B. No. 34, A bill to be entitled "An Act relating to requiring the State Commission for the Blind to keep certain records relating to the visually handicapped; amending Section 2, Chapter 80, General Laws, Acts of the 42nd Legislature, Regu-

lar Session, 1931; and declaring an emergency."

S. C. R. No. 22, Granting permission to H. L. Brown, et al., to sue the State.

**Committee Substitute Senate Bill 467  
on Second Reading**

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 467, A bill to be entitled "An Act relating to removing the territory of a school district from a county junior college district or a union junior college district lying wholly within one county under certain conditions; adding Sections 19a to Chapter 290, Acts of the 41st Legislature, Regular Session, 1929, as amended; and declaring an emergency."

The bill was read second time.

Senator Schwartz offered the following amendment to the bill:

Amend Committee Substitute for S. B. No. 467 by striking all of the language below the enacting clause and substituting in lieu thereof the following:

Section 1. Chapter 290, Acts of the 41st Legislature, Regular Session, 1929, as amended (Article 2815h, Vernon's Texas Civil Statutes), as amended by adding Section 19a to read as follows:

"Sec. 19a. (a) Before the first election to authorize the levy of a tax for any purpose is held in a union junior college district lying wholly within one county, which district was created prior to the effective date of this Act, the territory of a school district lying within the college district shall be removed therefrom, if

(1) a majority of the persons in any school district constituting a part of the union college district signing the petition praying for the creation of the college district filed a written request with the County board of education or, if none, with the commissioners court, asking that their names be removed from the petition, or otherwise signified their desire to nullify their signatures on the petition, prior to the date on which the

election to create the college district was ordered; and

(2) the majority of the voters in the school district where the request for removal was requested, voting at the election to create the college district, voted against its creation.

"(b) When the territory of a school district is removed from a college district as provided in Subsection (a) of this section, the board of trustees of the college district, prior to entering an order calling an election to authorize the levy of a tax for any purpose, shall prepare an order redefining the boundaries of the college district and present the order to the commissioners court. The court, if satisfied with the accuracy of the order, shall enter the order in its minutes. The board of trustees shall send a copy of this order to the State Board of Education.

"(c) The revised metes and bounds description of the boundary of the district shall be included in the order calling the following elections:

(1) each election on the question of levying a tax for any authorized purpose ordered within five years after the creation of the district;

(2) the first election on the question of levying a tax for any authorized purpose if that election is called more than five years after the creation of the district.

"(d) Where the territory of a school district is removed under Section 19a of this Act, no review of feasibility and desirability shall be made and the college district shall be effective as created except with respect to its boundaries."

Sec. 3. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read and was adopted.

The bill as amended was passed to engrossment.

**Committee Substitute  
Senate Bill 467 on Third Reading**

Senator Schwartz moved that the Constitutional Rule and Senate Rule



32 requiring bills to be read on three several days be suspended and that C. S. B. B. No. 467 was placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Krueger
Bates	Moore
Calhoun	Parkhouse
Cole	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Nays—1

Rogers

Absent

Blanchard

Absent—Excused

Colson

Hightower

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word

Nays—1

Rogers

Absent—Excused

Colson

Hightower

Senate Joint Resolution 44 on  
Second Reading

On motion of Senator Crump and

by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. J. R. No. 44, Proposing an amendment to Sections 2, 3, and 25 of Article III of the Constitution of the State of Texas so as to provide for an increase in the membership of the State Senate from 31 to 39 members, to fix the membership in the House of Representatives at 150 members, to increase the length of senator's terms from four to six years, to require apportionment of the senate according to population, and to delete the limitation that no single county is entitled to more than one Senator.

The resolution was read second time.

On motion of Senator Crump and by unanimous consent, further consideration of S. J. R. No. 44 was postponed until tomorrow at the conclusion of the Morning Call.

Senate Resolution 409

Senator Ratliff offered the following resolution:

Be It Resolved, By the Senate of Texas, That the Enrolling Clerk be directed to correct S. B. No. 399, Section 3, by changing the word "and" in such section to read "all."

The resolution was read and was adopted.

Senate Bill 285 on Second Reading

The President laid before the Senate as Unfinished Business on its second reading S. B. No. 285, (the bill having been read the second time on Wednesday, March 24, 1965, and an amendment by Senator Bates pending).

Question—Shall the amendment by Senator Bates to S. B. No. 285 be adopted?

Sub-Committee of Jurisprudence  
Committee To Meet While  
Senate in Session

On motion of Senator Creighton and by unanimous consent, a sub-committee of the Jurisprudence Committee was granted permission to meet while the Senate was in Session.

**Senate Bill 285 on Second Reading**

The Senate resumed the consideration of the pending business, same being S. B. No. 285 on its second reading with an amendment by Senator Bates pending.

Question—Shall the amendment by Senator Bates to S. B. No. 285 be adopted?

**Motion to Adjourn**

Senator Dies moved that the Senate stand adjourned until 10:00 o'clock a.m. tomorrow.

The motion was lost.

**Senate Bill 490 on First Reading**

Senator Crump moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

**Yeas—29**

Aikin	Krueger
Bates	Moore
Blanchard	Parkhouse
Calhoun	Patman
Cole	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

**Absent—Excused**

Colson	Hightower
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The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Crump:

S. B. No. 490, A bill to be entitled "An Act repealing section 106(a) of Article XIII of the Uniform Act Regulating Traffic on Highways, as heretofore amended (being codified as section 106(a) of Article 6701d of Vernon's Civil Statutes) to the extent, and only to the extent of its conflict with Senate Bill 3, Acts Regular Ses-

sion 59th Legislature; repealing all other laws and parts of laws to the extent, and only to the extent of their conflict with the aforesaid Senate Bill 3; and declaring an emergency."

To the Committee on Transportation.

**Senate Bill 491 on First Reading**

Senator Watson moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

**Yeas—29**

Aikin	Krueger
Bates	Moore
Blanchard	Parkhouse
Calhoun	Patman
Cole	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

**Absent—Excused**

Colson	Hightower
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The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Watson:

S. B. No. 491, A bill to be entitled "An Act validating Castleman Creek Watershed Association and the territory thereof included within the boundaries delineated in Chapter 441, Acts of the Fifty-seventh Legislature, Regular Session, 1961; validating the organization of the Association's Board of Directors and all governmental acts and proceedings heretofore performed and accomplished by it; validating the Association's maintenance tax and bond elections held on the 25th day of May, 1962 and all proceedings relating thereto; providing that the bonds authorized at said election shall be incontestable when approved by the Attorney General of Texas, registered by the Comptroller

of Public Accounts and delivered to the purchaser or purchasers thereof; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

#### Senate Bill 285 on Second Reading

The Senate resumed the consideration of the pending business, same being S. B. No. 285 on its second reading with an amendment by Senator Bates pending.

Question—Shall the amendment by Senator Bates to S. B. No. 285 be adopted?

Senator Schwartz offered the following amendment to the pending amendment:

Amend the pending amendment to S. B. No. 285 by striking the words after the semicolon in quoted Section 2 and substituting a period for the semicolon.

The amendment was read.

Question—Shall the amendment by Senator Schwartz to the pending amendment by Senator Bates be adopted?

#### Memorial Resolutions

S. R. No. 401—By Senator Watson: Memorial resolution for E. A. Gude-rian.

S. R. No. 402—By Senator Watson: Memorial resolution for C. L. Sims.

S. R. No. 403—By Senator Watson: Memorial resolution for Richard (Bud) Rolan.

S. R. No. 404—By Senator Watson: Memorial resolution for Mrs. Esther Mae Reese.

S. R. No. 405—By Senator Watson: Memorial resolution for John R. Krizan.

#### Welcome Resolutions

S. R. No. 399—By Senator Aikin: Extending welcome to the Honorable Grady Moore of Clarksville.

S. R. No. 400—By Senator Creighton: Extending welcome to National Honor Society and sponsors of Denton High School.

S. R. No. 406—By Senator Hall: Extending welcome to students, spon-

sors and teachers of Campbell Independent School.

S. R. No. 407—By Senator Herring: Extending welcome to students and teacher of St. Elmo Elementary School of Austin.

S. R. No. 408—By Senator Watson: Extending welcome to Don Pryor, et al.

#### Adjournment

On motion of Senator Aikin the Senate at 4:33 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

#### APPENDIX

##### Reports of Standing Committee

Senator Hardeman submitted the following reports:

Austin, Texas,  
April 5, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 374, An Act changing the name of Sam Houston State Teachers College to Sam Houston State College; fixing an effective date; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
April 5, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. J. R. No. 7, A Joint Resolution proposing an Amendment to the Constitution of the State of Texas providing for the exemption from local ad valorem taxes of the property of certain charitable organizations, provided such organizations meet certain conditions and requirements and expend at least One and One-half Million Dollars (\$1,500,000.00) annually on free medical and hospital care for the indigent within

the State of Texas; providing for the necessary election, form of ballot, proclamation, and publication.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
April 5, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 108, An Act amending Acts 1953, 53rd Legislature of the State of Texas, Chapter 268 (Vernon's Article 8280-155) which created Wise County Water Supply District by enlarging and redefining the boundaries of Wise County Water Supply District; validating the appointment and the fixing of terms of the Board of Directors of such District; changing the method of appointing Directors; prescribing methods of annexation of territory to the District; authorizing the District to construct facilities for receiving, treating and transporting water purchased from others; authorizing the District to contract with the City of Decatur for operation of the District's facilities by the said city; validating contracts heretofore made with others for the purchase of water; authorizing the District to employ the tax rolls of the City of Decatur and employ the tax assessor and collector of the said city; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
April 5, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 34, An Act relating to the authority and responsibilities of and the records kept by the State Commission for the Blind; amending Section 2, Chapter 80, General Laws, Acts of the 42nd Legislature, Regular Session, 1931, and adding a new Section 2a; amending Section 2, Chapter 216, Acts of the 49th Legislature, 1945; amending Section

3, Chapter 23, Acts of the 41st Legislature, 1st Called Session, 1929, as amended; amending Section 1, Chapter 241, Acts of the 49th Legislature, 1945; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Sent to Governor

April 5, 1965

S. B. No. 374

S. B. No. 108

S. J. R. No. 7

S. C. R. No. 65

#### FORTY-FIFTH DAY

(Tuesday, April 6, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent—Excused

Colson

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### Leave of Absence

Senator Colson was granted leave of absence for today on account of important business on motion of Senator Aikin.